

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

August 5, 2025

FROM

JASON ANDERSON, District Attorney

SUBJECT

Amendment to Employment Contract for Contract Attorney

RECOMMENDATION(S)

Approve **Amendment No. 2 to Employment Contract 24-708**, effective August 10, 2025, with Michael Silverman as a Contract Attorney, increasing the annual reimbursement amount for the California State Bar license renewal fees by \$86, from \$465 to \$551 per fiscal year, increasing the not-to-exceed amount of hours worked during the term of the contract by 3,120 hours, from 1,200 to 4,320 hours, establishing a not-to-exceed amount of hours worked during the term of this Amendment of 3,120 hours, and extending the contract an additional two years, for a total contract period of August 10, 2024 through August 6, 2027, for an increased estimated cost not to exceed \$517,000 (\$497,000 in salary costs and \$20,000 in benefit costs).
(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-3662)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the need for additional Discretionary General Funding (Net County Cost). The estimated cost of the contract is \$517,000 (\$497,000 in salary costs and \$20,000 in benefit costs). Sufficient appropriation has been included in the District Attorney's (Department) 2025-26 budget and will be included in the Department's future recommended budgets.

BACKGROUND INFORMATION

The Department serves as the public prosecutor with the mandated responsibility to prosecute crimes committed within San Bernardino County, including city jurisdictions, pursuant to California Government Code section 26500. Because of the mandates of this Government Code including, Penal Code sections 13835, 1172, 745, and 1473, among others, as well as the current highly politicized working environment of law enforcement, the Department needs to evaluate and revise its Policy and Procedures Manual for its non-peace officer staff. There have been recent and significant changes in many laws which impact the administration of justice, as well as business operations for Deputy District Attorneys. These changes require updates to the Department's policy manual to ensure compliance with current laws and accepted business practices. Due to staff retirements and difficulty in filling positions, the manual has not been updated as quickly as planned.

Amendment to Employment Contract for Contract Attorney August 5, 2025

On August 6, 2024 (Item No. 23), the Board of Supervisors (Board) approved Employment Contract 24-708 with Michael Silverman as a Contract Attorney effective August 10, 2024 through August 9, 2025, to update the Department's Policy and Procedures Manual and assist with implementing new policies and procedures in accordance with legislative changes.

On March 11, 2025 (Item No. 23), the Board approved Amendment No. 1 to Employment Contract 24-708, effective March 22, 2025, replacing Section IV. Compensation of Contract Attorney, Subsection E. Retirement Plan, to add a provision for participation in the San Bernardino County Employees' Retirement Association (SBCERA), as well as update to the medical, dental and leave provisions, with no change to the total aggregate amount or contract term.

The Department requests approval of Amendment No. 2 for a two-year extension of the Employment Contract with Michael Silverman for a total contract period of August 10, 2024 through August 7, 2027. The required updates to the policy manual have been more extensive than anticipated. Efforts have expanded by creating a policy team composed of staff across the Department to provide operational context to Mr. Silverman and assist with editing the manual. It is anticipated that the majority of updates will be completed and new policies added by the end of his contract in 2027. Amendment No. 2 to Employment Contract 24-708 will also increase the annual reimbursement amount for the California State Bar license renewal fees by \$86, from \$465 to \$551 per fiscal year, and increase the not-to-exceed amount of hours worked during the term of the contract by 3,120 hours, from 1,200 to 4,320 hours. This amendment also establishes a not-to-exceed limit of 3,120 hours worked during the term of this Amendment No. 2. Amendment No. 2 to Employment Contract 24-708 will take effect on August 10, 2025.

The Department's goals are to ensure the District Attorney Policy and Procedures Manual reflects current legislation, includes directives from the California Superior Court, incorporates San Bernardino County organizational policies and procedures where needed, and provides principles and values that guide the performance of the Department.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, Deputy County Counsel, 387-5455) on July 8, 2025; Human Resources (Gina King, Assistant Director of HR, 387-5570) on July 14, 2025; County Finance and Administration (Kathleen Gonzalez, Administrative Analyst, 387-5412) on July 15, 2025.

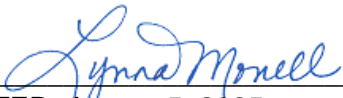
**Amendment to Employment Contract for Contract Attorney
August 5, 2025**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 5, 2025



cc: DA - Walker w/agree
Contractor - c/o DA w/agree
File - w/agree
MBA 08/6/2025